EXPRESSION OF INTEREST

ALCHEMIST TOWNSHIP INDIA LIMITED
(Undergoing Corporate Insolvency Resolution Process)

1. BACKGROUND

1. That the application was filed under Section 7 of Insolvency and Bankruptcy Code, 2016 read with Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 on 07.08.2018 by Ms. Kiran Malhotra, as the Financial Creditor with the prayer to commence the Corporate Insolvency Resolution Process (CIRP) against the Alchemist Township India Limited (ATIL), Corporate Debtor.

2. That the said application IB No. 1082/PB/2018 for initiation of Corporate Insolvency Resolution Process (CIRP) was admitted by Hon'ble National Company Law Tribunal (NCLT), Principal Bench, New Delhi vide its order dated 25.01.2019, wherein the CIRP of ATIL was commenced and Mr. Pramod Goel, was appointed as the Interim Resolution Professional (IRP). Copy of the order was received by the IRP on 30.01.2019.

3. That in terms of the provisions under Section 15 of the IBC, 2016 read with Regulation 6 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the Public Announcement in Form A with respect to commencement of CIRP of ATIL was made on 02.02.2019 and the same was published in Financial Express (English), Jansatta in Delhi NCR & Chandigarh and Daily Chardhikala (Punjabi) in Patiala region on the above mentioned date.

4. That the shareholder of the Corporate Debtor, Alchemist Infra Ventures Ltd. filed an appeal before the Hon'ble NCLAT, New Delhi vide Company Appeal (AT) (Insolvency) No. 113 of 2019 against the admission order of Hon'ble NCLT, New Delhi dated 25.01.2019. In the hearing held on 12.02.2019 before the Hon'ble National Company Law Appellate Tribunal, New Delhi, the Appellant intended to settle the matter with the Respondent. On the request of the learned counsel for the appellant, the Hon'ble Adjudicating Authority gave direction to IRP that if no 'Committee of Creditors' have been constituted, the IRP will not constitute the Committee of Creditors until further orders. The matter listed for 01.03.2019 for further proceedings.

5. That in the hearing held on 01.03.2019, the Hon'ble NCLAT, New Delhi set aside the order of Hon'ble NCLT New Delhi dated 25.01.2019. The relevant part of the order is reproduced hereunder:

As per Para 6 of the order dated 01.03.2019

> *"order(s) passed by the Adjudicating Authority appointing 'Interim Resolution Professional', declaring moratorium, freezing of account, and all other order(s) passed by the Adjudicating Authority pursuant to impugned order and action, if any, taken by the 'Interim Resolution Professional', including the advertisement published in the newspaper calling for applications all such orders and actions are declared illegal and are set aside. The application preferred by Respondent under Section 7 of the I&B Code, 2016 is dismissed. Learned Adjudicating Authority will no close the proceeding. The Corporate Debtor' (Company) is released from all the rigour of law and is allowed to function independently through its Board of Directors from immediate effect."*
>
> **The Hon'ble Adjudicating Authority further ordered in its order dated 01.03.2019***:*
>
> *"However, we make it clear that the amount payable in favour of Respondent – 'Kiran Mallhotra' through cheque, if bounce or for one or other reason encashment not allowed, it will be open to Respondent – 'Kiran Malhotra' to revive the application under Section 7."*

6. That the application bearing no. IA-4063(PB)/2020 filed by the Financial Creditor for the revival of the CP (IB) 1082(PB)/2018 based on the order dated 01.03.2019 passed by the Hon'ble Appellate Tribunal as the settlement was failed. In the hearing held on 01.10.2020, the Hon'ble NCLT Principal Bench, New Delhi allowed the application for revival of the original application CP (IB) 1082(PB)/2018 and directed the IRP to resume his duties and continue until he is replaced by another Insolvency Professional.

7. That the order dated 01.10.2020 passed by the Hon'ble NCLT, Principal Bench, New Delhi received by the IRP, Mr. Pramod Goel on 09.10.2020, accordingly he made brief announcement in the Financial Express, Jansatta in Delhi NCR & Chandigarh Edition and Daily Chardhikala (Punjabi) in Patiala edition on 12.10.2020 regarding the revival of the application CP(IB) No. 1082 (PB)/2018. The IRP accordingly, constituted the CoC

and filed the report dated 15.10.2020 under Regulation 13 & 17 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 before the Hon'ble NCLT Principal Bench, New Delhi.

8. That the Committee of Creditors in its first meeting held on 23.10.2020 approved the resolution for appointment of Mr. Devendra Singh, undersigned, having IBBI Registration No. IBBI/IPA-002/IP-N00001/2016-17/10001 to act as Resolution Professional in the matter. The Hon'ble NCLT, Principal Bench, New Delhi vide its order dated 24.11.2020 appointed Mr. Devendra Singh as Resolution Professional of Alchemist Township India Limited, Corporate Debtor.

9. That the copy of the order dated 24.11.2020 passed by the Hon'ble NCLT, New Delhi Principal Bench, was received on 03.12.2020 by the undersigned from the erstwhile IRP. The same was also available on the website of Hon'ble NCLT on 03.12.2020.

2. ABOUT THE CORPORATE DEBTOR

Alchemist Township India Limited is a Limited Company incorporated on 04.07.2006 its Registered office situated at Flat No. – 1511 (Front Portion), Hemkunt Chambers, 89 Nehru Place, New Delhi – 110019 and the Corporate Office at Plot No. F-5, Rajiv Gandhi Technology Park, Chandigarh.

Registered Office	Flat No. – 1511 (Front Portion), Hemkunt Chambers, 89 Nehru Place, New Delhi - 110019
Name of Directors (Power Suspended)	• Sucheta Khemka • Gokul Chand • Sandeep Kumar

MASTER DATA OF THE COMPANY AS PER MCA'S RECORD:

Company Master Data	
CIN	U70100DL2006PLC263246
Company / LLP Name	ALCHEMIST TOWNSHIP INDIA LIMITED
ROC Code	RoC-Delhi
Registration Number	263246
Company Category	Company limited by Shares
Company SubCategory	Non-govt company
Class of Company	Public
Date of Incorporation	04/07/2006
Registered Office	FLAT NO- 1511 (Front Portion) Hemkunt Chambers, 89 Nehru place New Delhi South Delhi DL 110019

Comparative Balance Sheet					
Particulars		Audited	Audited	Audited	Audited
		31.03.2020	31.03.2019	31.03.2018	31.03.2017
					Amount in INR
A	**EQUITY AND LIABILITY**				
1	**Shareholder's Funds**				
	a) Share Capital	1,00,00,000	1,00,00,000	1,00,00,000	1,00,00,000
	b) Reserves & Surplus	-38,24,94,022	-37,46,65,256	-97,12,867	-22,83,657
2	**Non Current Liabilities**				
	a) Long Term Borrowing	51,06,15,028	51,01,20,692	51,22,24,193	50,46,39,918
	b) Deferred Tax Liabilities		-	-	-
3	**Current Liabilities**				
	a) Trade Payables	3,33,55,134	3,33,43,083	3,26,18,847	3,26,30,284
	b) Other Current Liabilities	13,97,45,72,582	13,98,25,60,151	73,47,24,839	73,49,20,962
	Total	**14,14,60,48,722**	**14,16,13,58,670**	**1,27,98,55,012**	**1,27,99,07,507**
B	**ASSETS**				
1	**Non-Current Assets**				
	a) Fixed Assets				
	i. Tangible Assets	2,83,513	3,98,211	5,79,080	8,73,262
	b) Deferred Tax Assets (Net)	3,58,240	3,58,240	3,68,087	3,58,194
2	**Current Assets**				
	a) Inventories	72,17,42,104	72,17,15,460	72,04,66,131	74,34,61,250
	b) Trade Receivable	-	-	35,63,32,730	35,63,32,730
	c) Cash & Cash Equivalents:	2,94,87,379	2,98,50,034	3,23,03,267	3,66,82,946
	d) Short Term Loan & Advances	13,39,41,77,486	13,40,90,36,725	16,98,05,717	14,21,99,125
	Total	**14,14,60,48,722**	**14,16,13,58,670**	**1,27,98,55,012**	**1,27,99,07,507**

Comparative Statement of Profit & Loss					
Particulars		**Audited**	**Audited**	**Audited**	**Audited**
		31.03.2020	**31.03.2019**	**31.03.2018**	**31.03.2017**
					Amount in INR
	Income				
1	Revenue From Operation	-	-	-	-
2	Other Income	-	45,017	-	53,053
3	Total Revenue (1+2)	-	**45,017**	**-**	**53,053**
4	**Expenses**				
(a)	Cost of Land	-	-	-	-
(b)	Employees Benefit Expenses	30,70,906	50,20,540	32,03,797	33,35,558
(c)	Finance Cost	-	-	-	52,408
(d)	Depreciation	1,14,697	1,80,869	2,94,182	5,23,793
(e)	Other Expenses	46,43,162	35,97,86,150	39,41,124	94,92,428
	Total Expenses	**78,28,765**	**36,49,87,559**	**74,39,103**	**1,34,04,187**
5	Profit / (Loss) before tax (3-4)	-78,28,765	-36,49,42,542	-74,39,103	-1,33,51,134
6	Tax Expense:				
	(a) Current Tax Expense	-	-	-	-
	(b) Deferred Tax	-	9,847	-9,893	-61,217
7	Profit / (Loss) from continuing operations (5-6)	-78,28,765	-36,49,52,389	-74,29,210	-1,32,89,917
	Earning per equity share:				

3. INVITATION FOR EXPRESSION OF INTEREST TO SUBMIT A RESOLUTION PLAN FOR ALCHEMSIT TOWNSHIP INDIA LIMITED

The Corporate Debtor (ATIL) is currently undergoing Corporate Insolvency Resolution Process (CIRP) under the provisions of the Insolvency and Bankruptcy Code, 2016 (IBC), pursuant to an order dated 25.01.2019 of the Hon'ble NCLT, Principal Bench New Delhi.

Mr. Devendra Singh, acting in his capacity as the Resolution Professional (RP) for the Corporate Debtor, hereby invites Expression of Interest (EOI) from prospective Resolution Applicants, under Sections 25(2)(h) of IBC, for submission of Resolution Plans in respect of the Corporate Debtor, The EOI should reach latest by 6:00 PM on 15.01.2022. The time line may be extended as may be decided and instructed by the CoC.

4. ELIGIBILITY CRITERIA FOR QUALIFYING AS RESOLUTION APPLICANT

In the Sixth meeting of Committee of Creditors of ATIL held on 16.12.2021 the following revised eligibility criterion was approved by the CoC for the Prospective Resolution Applicant(s) to participate in the Corporate Insolvency Resolution Process of the Corporate Debtor for submission of Resolution Plan.

ELIGIBILITY CRITERIA

(Eligibility Criteria For Qualifying As Resolution Applicant)

(a) **Category A – In case of an individual**

- Minimum tangible net-worth of INR 15 crores as per the last audited financial statement for FY 2020-21 and as certified by a practicing Chartered Accountant.

(b) **Category B - In case of a private/public limited company, Foreign Company, LLP, body corporate incorporated in India/ Outside India**:

- Minimum tangible net worth (TNW) of INR 20 crores at the group level as per the audited balance sheet for the FY 2020-21;
- Tangible Net Worth shall be aggregate value of paid-up share capital and all reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred revenue expenditures and miscellaneous

expenditure not written-off. The reserves do not include capital reserves created out of revaluation of assets and write back of depreciation and amalgamation;

- The entities shown as part of Group must have either the controlling interest over or controlled by or under common control with the Prospective Resolution Applicant ("PRA"). Control means at least 26% ownership. The entities must have been part of the Group for at least 3 years.

(c) **Category C - In case of Financial Investors (FI) / Mutual Funds / Private Equity / Venture Capital Funds / Domestic/ foreign Investment institutions, Non-Banking Finance Companies (NBFC), Asset Reconstruction Companies, Banks and similar entities:**

- Total assets under Management (AUM) / Loan Portfolio shall be at least INR 150 crores at the end of the Financial Year 2020-21, or

- The committed funds available for investment /deployment in Indian companies or Indian assets of INR 50 Crore at the end of the Financial Year 2020-21;

- FI here means the FI as defined under Section 45 I (c) of RBI Act and NBFC here means the NBFC as defined under Section 45 I (f) of RBI Act.

(d) **Category D - In case of bidding as a consortium:**

- PRA may be a "Consortium". Consortium shall mean any person acting together with another person as a consortium/joint bidder or joint venture (whether incorporated or not) for the purpose of submission of the EoI and Resolution Plan in respect of the Corporate Debtor;

- Lead member must hold at least 51% equity in the consortium;

- All members of the Consortium shall have positive TNW at the end of FY 2020- 21. In case any member has negative net worth as at 31.03.2021, the Consortium shall not be eligible;

In case of consortium of individuals, TNW shall be calculated based on weighted average of their respective net worth i.e. the aggregates of such portions of their TNW, as is proportionate to their shareholding in the consortium, will count towards the qualification criteria of TNW under this EoI. The Consortium per-se should satisfy condition of **category A**;

In case the consortium is of body corporates, TNW of consortium shall be calculated based on their weighted average i.e. the aggregates of such portions of their TNW as is proportionate to their shareholding in the consortium, will count towards the qualification criteria of TNW and turnover under this EoI. The consortium per-se should satisfy condition of **Category B**;

In case the consortium is of FIs/Funds/PE Investors/NBFCs/Any other applicants, AUM / Loan Portfolio of consortium shall be calculated based on their weighted average i.e. the aggregate of such portions of their AUM/Loan Portfolio as it proportionate to their shareholding in the consortium will count towards the qualification criteria of AUM/Loan Portfolio.

Similarly, the committed funds available for investment/deployment in Indian companies or Indian assets shall be based on their weighted average i.e. the aggregate of such portion of their committed funds available for investment /deployments in Indian companies or Indian assets as is proportionate to their shareholding in the consortium will count towards the qualification criteria of committed funds. The consortium per-se should satisfy condition of **Category C**;

If members are from Category A & B, the criterion applicable to the individual members will be the criterion as applicable to the category it belongs as recalculated based on its share in the consortium i.e. each consortium member will satisfy the criterion applicable to its category as multiplied by its share in the consortium;

If members are from Category B & C, the criterion applicable to the individual members will be the criterion as applicable to the category it belongs as recalculated based on its share in the consortium i.e. each consortium member will satisfy the criterion applicable to its category as multiplied by its share in the consortium;

In case the consortium is of body corporates, TNW of consortium shall be calculated based on their weighted average i.e. the aggregates of such portions of their TNW as is proportionate to their shareholding in the consortium, will count towards the qualification criteria of TNW and turnover under this EoI. The consortium per-se should satisfy condition of **Category B**;

In case the consortium is of FIs/Funds/PE Investors/NBFCs/Any other applicants, AUM / Loan Portfolio of consortium shall be calculated based on their weighted average i.e. the aggregate of such portions of their AUM/Loan Portfolio as it proportionate to their shareholding in the consortium will count towards the qualification criteria of AUM/Loan Portfolio. Similarly, the committed funds available for investment/deployment in Indian companies or Indian assets shall be based on their weighted average i.e. the aggregate of such portion of their committed funds available for investment /deployments in Indian companies or Indian assets as is proportionate to their shareholding in the consortium will count towards the qualification criteria of committed funds. The consortium per-se should satisfy condition of **Category C**;

If members are from Category A & B, the criterion applicable to the individual members will be the criterion as applicable to the category it belongs as recalculated based on its share in the consortium i.e. each consortium member will satisfy the criterion applicable to its category as multiplied by its share in the consortium;

If members are from Category B & C, the criterion applicable to the individual members will be the criterion as applicable to the category it belongs as recalculated based on its share in the consortium i.e. each consortium member will satisfy the criterion applicable to its category as multiplied by its share in the consortium;

If members are from Category A & C, the criterion applicable to the individual members will be the criterion as applicable to the category it belongs as recalculated based on its share in the consortium i.e. each consortium member will satisfy the criterion applicable to its category as multiplied by its share in the consortium;

If members are from Category A, B & C, the criteria for TNW / AUM would again be based on share of a particular member in the consortium i.e. it will be in proportion to their shareholding in the consortium. The consortium members belonging to Category A, Category B and Category C should independently satisfy the criteria for Category A, Category B and Category C as recalculated bases on their share in the consortium;

No change in lead member or any member whose financials have been used to meet the criteria set out herein shall be permitted after the last date for submission of EoI.

Additional Notes on Eligibility Criteria

Sl. No.	Particulars
1.	If a company is maintaining calendar year as financial year then Balance Sheet for 31.12.2020 shall be considered as the basis of eligibility criteria
2.	In case, however, the audited balance sheet for FY 2020-21 is not yet prepared by the entity/company, the eligibility criteria shall be based on audited balance sheet for FY 2019-20
3.	None of the Prospective Resolution Applicant(s), should attract any of the in-eligibilities enlisted under provisions of Section 29 A of IBC.

5. SUBMISSION OF EOI:

a. Expression of Interest (EOI) is invited in sealed envelope superscripted as "Expression of Interest for participating in CIRP of Alchemist Township India Limited", in the format as set out in **Annexure 'A'**.

b. Applicants shall submit the EOI along with the supporting documents set out in **Annexure 'B'**

c. The details of the Applicant shall be as set out in **Annexure 'C'**.

d. Applicant shall submit the sealed envelope containing a complete set of the EOI in hard copy along with the Annexures stated above, to the following address by post or by hand:

DEVENDRA SINGH
RESOLUTION PROFESSIONAL
IN THE MATTER OF ALCHEMIST TOWNSHIP INDIA LIMITED
(UNDERGOING CORPORATE INSOLVENCY RESOLUTION PROCESS)
REGN. NO. IBBI/IPA-002/IP-N00001/2016-17/10001
OFFICE ADD.: ASSOTECH BUSINESS CRESTERRA,
OFFICE NO.216, 2ND FLOOR, TOWER-1, SECTOR-135,
NOIDA, UTTAR PRADESH-201304

e. A soft copy of EOI along with annexures stated above should also be mailed to atil.cirp@gmail.com; dev_singh2006@yahoo.com

6. LAST DATE FOR SUBMISSION OF EOI:

The last date for submission of EOI is 15.01.2022 up to 6:00 P.M., which may be extended as may be decided by the Committee of Creditors of ATIL.

All the Prospective Resolution Applicants (PRAs), must not attract any of the in-eligibilities as per the provisions of Section 29A read with Section 240A of IBC or any other provision of IBC, 2016 as applicable at the material time as **Annexure -1** (as presently applicable).

All the EOIs received shall be examined by the undersigned on the eligibility criterion specified and in accordance with the provisions of IBC 2016. The Information Memorandum and other relevant information including the details of the process and Evaluation Matrix and access to Virtual Data Room will be shared with the eligible PRAs upon their furnishing an undertaking of confidentiality in terms of the provisions of section 29(2) of the IBC, 2016 read with Regulation 36(4) of the Insolvency & Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.

NOTES

1) RP/COC has the right to cancel or modify the process without assigning any reason and without any liability. This is not an offer document and is issued with no commitment.

2) RP/COC reserve the right to withdraw EOI and change or vary any part thereof at any stage and also reserve the right to disqualify any potential bidder, should it be so necessary at any stage.

3) No oral conversations or agreements with the Resolution Professional or any official, agent or employee of the Resolution Professional, or any member of the COC shall affect or modify any terms of this EOI.

4) Neither the RA nor any of representatives of the RA shall have any claims whatsoever against the Resolution Professional or any member of the COC or any of their directors, officials, agents or employees arising out of or relating to this

EOI.

5) By submitting a proposal, each prospective Resolution Applicant/bidder shall be deemed to acknowledge that it has carefully read the entire EOI and all the relevant documents/information/process has fully informed itself as to all existing conditions and limitations.

Sd/-
DEVENDRA SINGH
RESOLUTION PROFESSIONAL
IN THE MATTER OF ALCHEMIST TOWNSHIP INDIA LIMITED
(UNDERGOING CORPORATE INSOLVENCY RESOLUTION PROCESS)
REGN NO.: IBBI/IPA-002/IP-N00001/2016-17/10001
OFFICE ADD: Assotech Business Cresterra,
Office No.216, 2nd Floor, Tower-1,
Sector-135, Noida, Uttar Pradesh-201304
EMAIL ID: dev_singh2006@yahoo.com; atil.cirp@gmail.com;
MOB: 9810331877, 9810339416

"**ANNEXURE -1**

29A. Persons not eligible to be resolution applicant. -

A person shall not be eligible to submit a resolution plan, if such person, or any other person acting jointly or in concert with such person—

(a) is an undischarged insolvent;

(b) is a wilful defaulter in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 (10 of 1949);

(c) at the time of submission of the resolution plan has an account, or an account of a corporate debtor under the management or control of such person or of whom such person is a promoter, classified as non-performing asset in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 (10 of 1949) or the guidelines of a financial sector regulator issued under any other law for the time being in force and at least a period of one year has lapsed from the date of such classification till the date of commencement of the corporate insolvency resolution process of the corporate debtor:

Provided that the person shall be eligible to submit a resolution plan if such person makes payment of all overdue amounts with interest thereon and charges relating to non-performing asset accounts before submission of resolution plan:

Provided further that nothing in this clause shall apply to a resolution applicant where such applicant is a financial entity and is not a related party to the corporate debtor.

Explanation **I.**- For the purposes of this proviso, the expression "related party" shall not include a financial entity, regulated by a financial sector regulator, if it is a financial creditor of the corporate debtor and is a related party of the corporate debtor solely on account of conversion or substitution of debt into equity shares or instruments convertible into equity shares, prior to the insolvency commencement date.

Explanation **II.**— For the purposes of this clause, where a resolution applicant has an account, or an account of a corporate debtor under the management or control of such person or of whom such person is a promoter, classified as non-performing asset and such account was acquired pursuant to a prior resolution plan approved under this Code, then, the provisions of this clause shall not apply to such resolution applicant for a period of three years from the date of approval of such resolution plan by the Adjudicating Authority under this Code;

(d) has been convicted for any offence punishable with imprisonment –

(i) for two years or more under any Act specified under the Twelfth Schedule; or

(ii) for seven years or more under any law for the time being in force:

Provided that this clause shall not apply to a person after the expiry of a period of two years from the date of his release from imprisonment:

Provided further that this clause shall not apply in relation to a connected person referred to in clause(iii) of *Explanation* I;

(e) is disqualified to act as a director under the Companies Act, 2013 (18 of 2013):

3[Provided that this clause shall not apply in relation to a connected person referred to in clause *(iii)* of *Explanation I;*

(*f*) is prohibited by the Securities and Exchange Board of India from trading in securities or accessing the securities markets;

(g) has been a promoter or in the management or control of a corporate debtor in which a preferential transaction, undervalued transaction, extortionate credit transaction or fraudulent transaction has taken place and in respect of which an order has been made by the Adjudicating Authority under this Code:

Provided that this clause shall not apply if a preferential transaction, undervalued transaction, extortionate credit transaction or fraudulent transaction has taken place prior to the acquisition of the corporate debtor by the resolution applicant pursuant to a resolution plan approved under this Code or pursuant to a scheme or plan approved by a financial sector regulator or a court, and such resolution applicant has not otherwise contributed to the preferential transaction, undervalued transaction, extortionate credit transaction or fraudulent transaction;

(h) has executed a guarantee in favour of a creditor in respect of a corporate debtor against which an application for insolvency resolution made by such creditor has been admitted under this Code and such guarantee has been invoked by the creditor and remains unpaid in full or part;

(i) is subject to any disability, corresponding to clauses (a) to (h), under any law in a jurisdiction outside India; or

(j) has a connected person not eligible under clauses (a) to (i).

***Explanation* I.** — For the purposes of this clause, the expression "connected person" means—

(i) any person who is the promoter or in the management or control of the resolution applicant; or

(ii) any person who shall be the promoter or in management or control of the business of the corporate debtor during the implementation of the resolution plan; or

(iii) the holding company, subsidiary company, associate company or related party of a person referred to in clauses (i) and (ii):

Provided that nothing in clause (iii) of *Explanation* I shall apply to a resolution applicant where such applicant is a financial entity and is not a related party of the corporate debtor:

Provided further that the expression "related party" shall not include a financial entity, regulated by a financial sector regulator, if it is a financial creditor of the corporate debtor and is a related party of the corporate debtor solely on account of conversion or substitution of debt into equity shares or instruments convertible into equity shares, prior to the insolvency commencement date;

***Explanation* II**—For the purposes of this section, "financial entity" shall mean the following entities which meet such criteria or conditions as the Central Government may, in consultation with the financial sector regulator, notify in this behalf, namely:—

(a) a scheduled bank;

(b) any entity regulated by a foreign central bank or a securities market regulator or other financial sector regulator of a jurisdiction outside India which jurisdiction is compliant with the Financial Action Task Force Standards and is a signatory to the International Organisation of Securities Commissions Multilateral Memorandum of Understanding;

(c) any investment vehicle, registered foreign institutional investor, registered foreign portfolio investor or a foreign venture capital investor, where the terms shall have the meaning assigned to them in regulation 2 of the Foreign Exchange Management (Transfer or Issue of Security by a Person Resident Outside India) Regulations, 2017 made under the Foreign Exchange Management Act, 1999 (42 of 1999);

(d) an asset reconstruction company register with the Reserve Bank of India under section 3 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (54 of 2002);

(e) an Alternate Investment Fund registered with Securities and Exchange Board of India;

(f) such categories of persons as may be notified by the Central Government.

"**ANNEXURE A**

[On the Letterhead of the Entity Submitting the EoI]

EXPRESSION OF INTEREST

Date:

To
DEVENDRA SINGH
RESOLUTION PROFESSIONAL

Subject: **Expression of Interest ("EOI") for submitting Resolution Plan for Alchemist Township India Limited (ATIL) ("Corporate Debtor") undergoing Corporate Insolvency Resolution Process (CIRP)**

Dear Sir,

In response to the public advertisement in Business Standard (English & Hindi), All India Edition Dated 25.12.2021 ("**Advertisement**") inviting EOI for submission of resolution plans ("**Resolution Plan**") as per the provisions of the Insolvency and Bankruptcy Code, 2016 ("**IBC**"), we confirm that we fulfill the eligibility criteria and qualify for submission of the Resolution Plan, and have understood the requirements and the terms and conditions for filing of this EOI and make our EOI for submission of a Resolution Plan in respect of the Corporate Debtor.

Along with our EOI, we have also provided information as required in the prescribed format/specified in 'Annexure B' and 'Annexure C'.

We further undertake that the information furnished by us in this EOI and Annexures is true, correct, complete, and accurate to the best of our knowledge. Based on this information we understand you would be able to evaluate our eligibility in order to shortlist us for the above-mentioned proposal. Further, we agree and acknowledge that:

(a) the EOI will be evaluated by the RP on behalf of the Committee of Creditors ("CoC") of ATIL based on the information provided in the Annexures and attached documents to determine whether or not we are not ineligible to submit a proposal for the proposed transaction;

(b) the RP/ the CoC reserve the right to determine at their sole discretion, whether we are eligible / not ineligible for the submission of the proposal and may reject the EOI submitted by us without assigning any reason/without any liability whatsoever;

(c) the RP/ the CoC reserve the right to request for additional information or clarification from us for the purposes of the EOI and we shall promptly comply with such requirements. Failure to satisfy the queries of RP/ CoC may lead to rejection of our submission pursuant to EOI;

(d) Any change in consortium other than lead / qualifying member or any material change affecting the consortium members' ability to perform in consortium shall be intimated within 3 (three) business days to the CoC / RP;

(e) We are eligible person in terms of provisions of Section 29A of the IBC. We are a 'fit and proper' person and not under any legal disability to be a promoter entity of the Company under the applicable laws including listing agreements, stock exchange requirements and SEBI regulations and guidelines.

Yours Sincerely,
On behalf of [*Insert the name of the entity submitting the EOI*] Signature:_____

Name of Signatory:
Designation:
Company Seal/Stamp

1: In case of Consortium Applicant the EoI shall be signed by each member.
2:The person signing the EoI and other supporting documents should be an authorized signatory supported by necessary board resolutions/authorization letter.

"ANNEXURE – B"

SUPPORTING DOCUMENTS TO BE ATTACHED WITH EOI

1) For all RAs - Profile of RA alongwith KYC documents
2) For all RAs (other than individuals) - Copies of Certificate of Incorporation/ Registration along with Constitutional Documents (MOA, AOA or anything similar based on the nature of the applicant), PAN Card.

   For RAs who are individuals: Copies of Aadhar Card or Passport and PAN Card.
3) Copies of audited financial statements for the last two financial years along with copy of the Income Tax Return and other relevant information and records in support of its/their meeting the eligibility criterion.
4) A self- attested declaration, stating that the Prospective Resolution Applicant(s) is/ are not disqualified as per section 29A or any other provision of IBC, 2016.
5) In case of consortiums, the above documents are required to be given in respect of all the consortiums members.
6) A Certificate from the auditors of the entities or in case of individuals, from a practicing Chartered Accountant, certifying the revenue /Turnover/Tangible net worth/AUM/Size of the Loan Portfolio/funds available for investment/deployment in India, as the case may be, during the relevant period/periods

"ANNEXURE C"

[Note: In case of consortium, the details set out below are to be provided for each of the members]

1. **Name and Address:**
   a. Name of the Firm/Company/Organization:
   b. Address:
   c. Telephone No:
   d. Fax:
   e. Email:
2. **Date of Incorporation / Establishment:**
3. **% of Holding (in Consortium):**
4. **Core Area of Expertise:**
5. **Contact Person:**
   a. Name:
   b. Designation:
   c. Telephone No:
   d. Email:
6. **Company/FI Profile:**
   a. Company Financial Profile (consolidated / standalone as applicable):
      [Note: Where the entity submitting the EOI is a financial investor /fund entity, please provide details pertaining to "assets under management" and/or "committed funds' for the preceding three years or the committed funds available as on March 31, 2020, for investment].
   b. Experience of the Company in the relevant sector.
   c. History if any, of the Company or affiliates of the Company being declared a **'**willful defaulter', 'non-cooperative borrower', 'non-impaired asset' or 'non-performing asset'.